

ALLEGED SHIPMENT: On or about June 2 and 22, 1949, from the State of New York into the States of Massachusetts and New Jersey.

LABEL, IN PART: "Gothestrone Macro-crystalline Aqueous Suspension of Natural Estrogenic Hormones."

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported and was represented to possess since it was represented to be suitable and appropriate for intramuscular use, which use requires a sterile product, whereas the article was not suitable and appropriate for such use since it was not sterile but was contaminated with viable micro-organisms.

Misbranding, Section 502 (a), the labeling of the article contained statements which represented and suggested that the article would be suitable and appropriate for intramuscular use, which statements were false and misleading since the article was not suitable and appropriate for such use.

DISPOSITION: October 19, 1950. A plea of guilty having been entered on behalf of the corporation and a plea of nolo contendere on behalf of the individual, the court imposed a fine of \$1,000 against the corporation and a sentence of 1 year in the penitentiary against the individual. The sentence against the individual was suspended, and he was placed on probation for 1 year.

3292. Adulteration of dextro-amphetamine phosphate and dextro-amphetamine sulfate. U. S. v. 1 Drum, etc. (F. D. C. No. 29661. Sample Nos. 73632-K, 73633-K, 73635-K.)

LIBEL FILED: On or about July 27, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about April 21 and May 8 and 16, 1950, by Tru-Synthetics, Inc., from Long Island City, N. Y.

PRODUCT: 1 drum containing 13½ pounds of *dextro-amphetamine phosphate* and 1 drum containing 12½ pounds, and 1 drum containing 15 pounds, of *dextro-amphetamine sulfate*.

LABEL, IN PART: "Batch No. 18 Control No. P62 Dextro-Amphetamine Phosphate" and "Batch No. 18 Control No. SD61 Dextro-Amphetamine Sulfate."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the articles differed from, and their quality fell below, that which they were represented to possess. The product labeled "Dextro-Amphetamine Phosphate" was represented to consist of approximately 100 percent of that ingredient, whereas it contained approximately only 70 percent of dextro-amphetamine phosphate and 30 percent of levo-amphetamine phosphate; and the product labeled "Dextro-Amphetamine Sulfate" was represented to consist of approximately 100 percent of that ingredient, whereas it contained approximately only 70 percent of dextro-amphetamine sulfate and 30 percent of levo-amphetamine sulfate.

DISPOSITION: October 17, 1950. Tru-Synthetics, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the products be released under bond for removal of all adulterated ingredients and for reprocessing, so that the products could be brought into compliance with the law.

3293. Adulteration of dl-amphetamine sulfate. U. S. v. 1 Drum * * * (F. D. C. No. 29406. Sample No. 42999-K.)

LIBEL FILED: July 27, 1950, Northern District of Illinois.